

**REMARKS**

The Examiner's Action mailed on September 30, 2008, has been received and its contents carefully considered.

In this Amendment, Applicant has amended claim 1 to include the subject matter of claims 2-5, as well as to recite other features of the invention. Claim 1 is the independent claim, and is the only claim pending in the application. For at least the following reasons, it is submitted that this application is in condition for allowance.

The Examiner has rejected all of the claims as being obvious in view of various ones of the cited references. Because claim 1 has been amended to include the subject matter of all of the original dependent claims, Applicant will treat claim 1 as if a combination of all cited references had been applied against it. It is submitted that claim 1 is *prima facie* patentably distinguishable over the cited references, for at least the following reasons.

Applicant's independent claim 1 is directed to a buckle phone which includes, *inter alia*, a mobile phone which is attachably and detachably supported by a mobile phone support. The buckle phone further includes an earphone assembly which is electrically connected to the mobile phone when the mobile phone is installed in the mobile phone support. The mobile phone is provided with a signal terminal, and a terminal contact protrusion protrudes from a mobile phone accommodating section of the mobile phone support and which is connected with the earphone assembly, so that the mobile phone is usable to communicate both

when it is removed from the mobile phone support (for example, as a conventional mobile phone), and also while it is retained in the mobile phone support by using the earphone assembly. This claimed invention is neither disclosed nor suggested by any of the cited references.

*Alis* is directed is directed to a cell phone holder. In particular, this cell phone holder is adapted to hold a cell phone when the cell phone is not in use (see Abstract). In contrast, Applicant's claimed invention allows the cell phone to be used both when it is retained in the mobile phone support by using the earphone assembly, as well as when the cell phone is removed from the mobile phone support. This reference does not disclose or suggest this feature.

The Examiner's Action also relies on the teachings of *Tong et al.*, which is directed to a cellular telephone headset. However, similar to the deficiencies of *Alis*, this references also does not disclose or suggest a mobile phone that is usable to communicate both when it is removed from the mobile phone support, and also while it is retained in the mobile phone support by using an earphone assembly, as recited by claim 1.

The Examiner's Action also relies on the teachings of *Edreich*. This references teaches a cell phone retractable earpiece. However, and similar to the deficiencies of both *Alis* and *Tong et al.*, this reference also does not disclose or suggest a mobile phone which is usable to communicate both when it is removed from the mobile phone support, and while it is retained in the mobile phone support by using an earphone assembly, as recited by claim 1.

The Examiner's Action furthermore relies on the teachings of *Ghassabian*. This reference is directed to a wrist-mounted telephone device. However, and similar to the deficiencies of the other cited references, this reference also does not disclose or suggest a mobile phone that is usable to communicate both when it is removed from the mobile phone support, and also while it is retained in the mobile phone support by using an earphone assembly, as recited by claim 1. As such, it is submitted that Applicant's independent claim 1 is *prima facie* patentably distinguishable over the cited references, and it is thus requested that this claim be allowed and that these rejections be withdrawn.

It is submitted that this application is in condition for allowance. Such action, and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Should any fee be required, the Director is hereby authorized to charge the fee to our Deposit Account No. 18-0002.

Respectfully submitted,



December 29, 2008  
Date

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AMENDMENT

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